

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD A. DEEDS, :
Plaintiff, :
v. : Civil Action No. 05-423J
SOCIAL SECURITY ADMINISTRATION, :
Defendant :

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge sent the plaintiff an Authorization for the payment of filing fees in accordance with the Prison Litigation Reform Act and filed a Report and Recommendation on December 5, 2005, docket no. 4, recommending that the complaint be dismissed for failure to state a claim.

The plaintiff was also notified that pursuant to 28 U.S.C. § 636(b)(1), he had ten days to serve and file written objections to the Report and Recommendation. Plaintiff responded by sending correspondence to the Magistrate Judge on December 7, 2005, docket no. 6, which clarified that plaintiff intended to name only the Social Security Administration as defendant, but plaintiff has not filed an Authorization for the payment of the filing fee, and the time to do so has expired. Since plaintiff has not authorized the payment of filing fees and this is not a matter exempt from such payment, plaintiff's complaint must be dismissed for failure to prosecute.

After review of the record of this matter, the following order is entered:

AND NOW, this 19th day of December, 2005, it is

ORDERED that the complaint is dismissed for failure to prosecute. The Clerk shall mark this matter closed.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson". The signature is written in a cursive, flowing style with a horizontal line underneath the name.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

cc:

Edward A. Deeds FE-5411
S.C.I. Somerset
1600 Walters Mill Road
Somerset, PA 15510